

Remarks

Claims 1 and 3-18 are pending. Claims 1 and 3-18 are rejected.

Claims 1, 3-8 and 10-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Measuring Customer Satisfaction: Survey Design, Use and Statistical Analysis (Hayes) and Measuring and Managing the Satisfaction-Loyalty-Performance Links at Volvo (Gustafson). Claims 9 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayes, Gustafson and U.S. Pub. No. 2003/0212691 (Kuntala).

With regard to claim 1, Hayes does not disclose utilizing the satisfaction prediction model to calculate and output a prediction of buyer satisfaction for a motor vehicle. The Examiner appears to assert that the statistics of Hayes, e.g., mean and standard deviation of collected data, are the claimed satisfaction prediction model. See, Office Action, April 11, 2008, pp. 5-6. The Examiner also appears to assert that these statistics are used to calculate and output a prediction of buyer satisfaction for a motor vehicle. See, Office Action, April 11, 2008, p. 6. Assuming, *arguendo*, that the statistics of Hayes are somehow the claimed satisfaction prediction model, they are not used to calculate anything. Rather, Hayes merely suggests that parameters of a population may be estimated based on some statistical measures. See, e.g., Hayes, p. 101. That is, statistics associated with a population can be used as proxies for parameters of the population.

With regard to claim 1, Gustafson does not disclose joining the buyer's survey response data with the buyer's transactional and warranty claim data to create an aggregate of buyer satisfaction for the portion of the buyer base that completed the survey. Gustafson does not appear to use warranty claim data. See, Gustafson.

With regard to claim 1, the Examiner asserts that one of ordinary skill would have had reason to combine Gustafson with Hayes because "the resultant system/method [would enable] vehicle manufacturers to understand the links/drivers between customer satisfaction,

loyalty and business performance" Office Action, April 11, 2008, p. 9. As explained above, however, Hayes merely discloses generating statistics from raw data. Adding buyer's transactional and warranty claim data to Hayes would merely result in Hayes generating statistics related to buyer's transactional data and statistics related to warranty claim data. Such separate statistics would not appear to shed light on "the links/drivers between customer satisfaction, loyalty and business performance"

Claims 10 and 12 are patentable for at least some of the reasons claim 1 is patentable.

With regard to claims 4-8, 11 and 13-17, the Examiner asserts that one of ordinary skill "would have employed any of a plurality of well known mathematical, statistical and/or computational approaches/methods/techniques in view of the teachings of official notice" to the combination of Hayes and Gustafson. Office Action, April 11, 2008, p. 11. Modifying Hayes with the teachings of "official notice," however, would impermissibly alter Hayes' principle of operation. See, MPEP 2143.01 VI. As explained above, Hayes merely discloses generating statistics from raw data, whereas claims 4-8, 11 and 13-17, recite, for example, wherein a machine learning method is implemented to construct the buyer satisfaction prediction model, wherein the machine learning method is a decision tree, etc.

The dependent claims are patentable because they depend from one of the independent claims.

Applicant's Attorney submits that the claims are in a condition for allowance. Applicant's Attorney respectfully requests a notice to that effect. Applicant's Attorney also invites a telephone conference if the Examiner believes that it will advance the prosecution of this application.

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